

AN ACT

ENTITLED, An Act to revise certain provisions regarding the purpose of the 911 emergency surcharge and to provide rule-making authority to the 911 Coordination Board to establish allowable recurring and nonrecurring costs for the operation of a public safety answering point.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-45-4 be amended to read as follows:

34-45-4. Upon compliance with § 34-45-2, the governing body may assess a monthly uniform charge in an amount not to exceed seventy-five cents per service user line. The proceeds of this charge shall be used to pay for allowable nonrecurring and recurring costs of the 911 system. Any prepaid wireless telecommunications service provider shall remit the 911 emergency surcharge for each active prepaid wireless telecommunication service user account to the South Dakota 911 coordination fund. The proceeds of the South Dakota 911 coordination fund are continuously appropriated for reimbursement of allowable nonrecurring and recurring costs of 911 service and operating expenses of the board. No such charge may be imposed upon more than one hundred service user lines or equivalent service, per customer account billed, per month. In the case of multi-station network systems, service user lines shall be equal to the number of calls that can simultaneously be made from such system to the public switched telephone network.

Section 2. That § 34-45-18.2 be amended to read as follows:

34-45-18.2. The board may promulgate rules pursuant to chapter 1-26 setting:

- (1) Minimum technical, operational, and procedural standards for the operation and utilization of a public safety answering point;
- (2) Requirements and amounts for reimbursement of recurring and nonrecurring costs;
- (3) Standards for coordination of effective 911 service on a statewide basis; and
- (4) Allowable expenditures of the 911 emergency surcharge proceeds collected pursuant to

§ 34-45-4.

A public safety answering point shall comply with ARSD 50:02:04:02(2) if the Legislature increases the monthly uniform charge, regardless of the amount of the increase. Furthermore, no public safety answering point may be required to comply with the provisions of ARSD 50:02:04:02(2) if the public safety answering point forswears the acceptance of revenue from any future legislative increase in the monthly uniform charge and formally resolves to continue to maintain itself pursuant to all other statutes, rules, and standards.

An Act to revise certain provisions regarding the purpose of the 911 emergency surcharge and to provide rule-making authority to the 911 Coordination Board to establish allowable recurring and nonrecurring costs for the operation of a public safety answering point.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1014

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1014
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State